



ATTORNEY DOCKET 298-278

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Thilo Weitzel      Examiner: Turner, Samuel A.  
Serial No.: 10/521,516      Group Art Unit: 2877  
Filed: January 18, 2005      Date: September 24, 2007  
For: **APPARATUS AND METHOD FOR USE IN OPTICAL  
SPECTROSCOPY**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed on the attached form PTO-1449 is brought to the attention of the Examiner. A copy of the listed item is enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to be a substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

---

**CERTIFICATION UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 24, 2007

  
George M. Kaplan

09/27/2007 SDENB03 00000001 10521516  
01 FC:1806  
180.00 0P

The listed items were cited in an Office Action (English translation enclosed) drafted May 11, 2007 by the Japanese Patent Office in a counterpart Japanese application, with an English abstract of the Japanese citation also enclosed, thus satisfying the requirement for a concise explanation of relevance of the non-English reference under M.P.E.P. § 609.04(a) III.

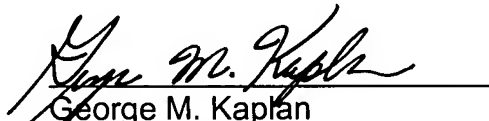
The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00. 37 C.F.R. § 1.17(i)(1))
- ☐ Please charge the **\$130.00** petition fee to Deposit Account No. **04-1121**.
- ☒ Enclosed by check is the **\$180.00** fee required by 37 C.F.R. § 1.17(p).

[ ] Please charge the **\$180.00** fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. **04-1121**. [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account **04-1121**. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. **04-1121** therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,

  
George M. Kaplan  
Reg. No. 28,375  
Attorney for Applicant(s)

DILWORTH & BARRESE LLP.  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
(516) 228-8484